

A bill for an act

relating to civil actions; providing for the use of special magistrates to handle pretrial matters; proposing coding for new law in Minnesota Statutes, chapter 484.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[484.735] PRETRIAL SPECIAL MAGISTRATES.**

Subdivision 1. **Applicability.** This section applies to district court cases that have been assigned to a single judge under Rule 113 of the Minnesota Rules of General Practice or other cases when the chief judge or presiding judge determines that the interests of justice, judicial efficiency, or the best use of available judicial resources will be served by assignment of pretrial matters to a special magistrate. This section does not apply to cases excluded from Rule 111 of the Minnesota General Rules of Practice.

Subd. 2. **Appointment of special magistrate required; costs.** The court shall appoint a special magistrate to preside over pretrial matters in the case. Rule 114.11 of the Minnesota Rules of General Practice applies to the determination and responsibility for payment of the fee of the special magistrate. The special magistrate may assess costs against a party for failure to comply with rules or orders, subject to review and approval by the court.

Subd. 3. **Qualified special magistrates.** The court shall appoint the special magistrate from the list of qualified neutrals established by the state court administrator under Rule 114.12 of the Minnesota General Rules of Practice.

**EFFECTIVE DATE.** This section is effective July 1, 2009.